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D. Macedo

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4/26/02

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ms  
05/14/02

RESPONSE TO PAPER NO. 6

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket  
Confirmation No.

STAN-130

First Named Inventor

Roger Briesewitz

Application Number

09/716,841

Filing Date

November 17, 2000

Group Art Unit

1651

Examiner Name

David M. Naff

Title

BIFUNCTIONAL  
MOLECULES HAVING  
MODLATED  
PHARMACOKINETIC  
PROPERTIES AND  
THERAPIES BASED  
THEREON

Dear Sir:

This communication is responsive to the office communication dated March 27, 2002 (i.e. paper No. 6).

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of one of Groups I to VIII for further prosecution in this application.

The Applicants hereby elect Group II with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of Groups III through VI with the elected claims of Group II for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

**If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.**

In the present case, the claims of Groups III to VI are directed to specific species of the genus of the claims of Group II.

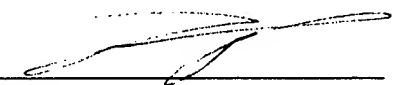
As such, examining the claims of Group II and Groups III to VI together in the present application clearly does not impose an undue or serious burden on the Examiner. In the absence of such an undue or serious burden, the Examiner is clearly instructed by the MPEP to examine the entire application. Therefore, the Examiner is respectfully requested to rejoin the claims of Groups II to VI and to examine all the claims together in the present application.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: 4.26.02

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